

### **R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

### **THE CLAIMS**

Claim 9 has been amended to clarify the structure of the tip electrode, and claim 23 has been amended to recite additional features of the structure of the tip electrode according to claim 9. Claim 9 has also been amended to avoid "means-plus-function" style language. Claims 9 and 23 are supported by the disclosure throughout the specification and drawings.

New claim 24 is based on the disclosure in the specification at page 14, lines 8 to 12.

The claims have also been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

### **THE PRIOR ART REJECTION**

Claims 9-22 were rejected under 35 USC 103 as being obvious in view of the combination of USP 5,454,370 ("Avitall") and USP

5,423,808 ("Edwards et al"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to amended independent claim 9, the tip electrode is formed of a single metallic body. A surface of the (single-body) tip electrode comprises at least three spherical or approximately spherical surfaces which have centers on a same straight line and a reduced-diameter portion provided between each of the adjacent spherical or approximately spherical surfaces such that the adjacent spherical or approximately spherical surfaces are connected by a curved surface. And each said reduced-diameter portion has an outer diameter that is less than an outer diameter of each of the spherical or approximately spherical surfaces.

The Examiner has cited Fig. 5 of Avitall as disclosing a tip electrode having the structure recited in independent claim 9. Fig. 5 of Avitall discloses "a plurality of closely spaced ring electrodes 50 with tip electrode 52." Significantly, according to Avitall "these electrodes do not radially overlap." In fact, according to Avitall distances of are provided between the electrodes. With this structure, overlapping lesions are created by electrodes that are separated from (but in close proximity to) each other. See column 4, lines 8-14 of Avitall.

Moreover, according to Avitall, an electrically nonconductive material should be provided in the spaces between the electrodes, because according to Avitall, "[e]ach of the electrodes associated with any of the distal working catheter systems utilized for mapping and ablation is provided with its own separately insulated electrical lead" (column 4, lines 27-30, emphasis added).

Clearly, therefore, Avitall does not disclose that the approximately spherical surfaces pointed to by the Examiner (the ring electrodes 50 and tip electrode 52) are part of a single metallic body as recited in amended claim 9.

It is respectfully submitted that Avitall does not suggest a tip electrode formed of a single metallic body and having the shape recited in amended independent claim 9.

Edwards et al, moreover, has only been cited for the disclosure of a thermistor. It is respectfully submitted that Edwards et al also does not disclose or suggest a tip electrode formed of a single metallic body and having the shape recited in amended independent claim 9.

Accordingly, it is respectfully submitted that even if Edwards et al were combinable with Avitall in the manner suggested by the Examiner, the resultant combination still would not teach or fairly suggest the structure recited in amended independent claim 9.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claim 9 and claims 10-23 depending therefrom clearly patentably distinguish over the cited Avitall and Edwards et al under 35 USC 103.

\* \* \* \* \*

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

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